

Notice of Allowability	Application No.	Applicant(s)	
	09/551,399	CHASE ET AL.	
	Examiner	Art Unit	
	SHICK C. HOM	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE, IDS, and response to notice of drawing inconsistency dated 6/2/08 of 7/31/08.
2. ☒ The allowed claim(s) is/are 32, 34-35 renumbered as 1-3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>7/31/08</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|---|

/Chi H Pham/
 Supervisory Patent Examiner, Art Unit 2616
 8/25/08

Electronic Acknowledgement Receipt

EFS ID:	3560058
Application Number:	09551399
International Application Number:	
Confirmation Number:	1414
Title of Invention:	FRAME RELAY SWITCHED DATA SERVICE
First Named Inventor/Applicant Name:	Christopher J. Chase
Correspondence Address:	Mr. S. H. Dworetsky - AT&T Corp., Room 2A-207 One AT&T Way Bedminster NJ 07921 US - -
Filer:	Kin-Wah Tong
Filer Authorized By:	
Attorney Docket Number:	03493.86913
Receipt Date:	02-JUL-2008
Filing Date:	17-APR-2000
Time Stamp:	17:27:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
File Listing:	

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Post Allowance Communication - Incoming	ATT_112518CON_Response_to_Drawing_Inconsistency.pdf	298772 12437e31aac1211c720e7998e6515d5913ebc98f	no	12
Warnings:					
Information:					
Total Files Size (in bytes):			298772		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

In re Application of:
Chase, et al.

Group Art Unit: 2616

Examiner: Shick C Hom

For: FRAME RELAY
SWITCHED DATA
SERVICE

Dear Sir:

In response to the Notice of Drawing Inconsistency dated June 2, 2008, having a shortened statutory period for response set to expire on July 2, 2008, please enter this response. Although the Applicants believe that no additional fees are due in connection with this response, the Commissioner is authorized to charge counsel's Deposit Account No. 20-0782/ATT/112518CON, for any fees, including extension of time fees or excess claims fees required to make this response timely and acceptable to the Office.

REMARKS

In the Notice of Drawing Inconsistency dated June 2, 2008, it was noted that Figures 15 and 16 are listed in the Brief Description of the Drawings in the specification, but not contained in the Drawings.

Responsive to the Notice, Applicants assert that a Supplemental Amendment filed on February 7, 2001 included amendments to the Specification and the addition of Figures 15 and 16. The February 7, 2001 amendment was acknowledged by the USPTO (see USPTO stamp dated February 7, 2001). Furthermore, the added Figures 15 and 16 were affirmatively approved by the Examiner in the Office Action dated April 25, 2001 (Paper number 9). As such, Applicants respectfully submit that Figures 15 and 16 were previously received and approved by the USPTO.

Nevertheless, Applicants have enclosed with this Response, the February 7, 2001 amendment and the previously submitted Figures 15 and 16.

If there are any unresolved issues pertaining to this drawing issue, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



July 2, 2008

Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, New Jersey 07702

Kin-Wah Tong, Attorney
Reg. No. 39,400
(732) 530-9404

RECEIVED

FEB 0 7 2001

HAND CARRY
Technology Center 2600
6th Floor Receptionist

RECEIVED

FEB 0 7 2001

Technology Center 2600
PATENT APPLICATION
Atty Docket: 03493.86913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chase et al.

Appl. Ser. No. 09/551,399

Group Art Unit: 2732

Filed: 04/17/2000

Examiner: Horn, S.

For (Appl. Title): FRAME RELAY SWITCHED DATA SERVICE

2661
7
2-15-01
H. Little

SUPPLEMENTAL AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

In response to the Examiner Interview conducted February 5, 2001, please amend the above-identified application as follows:

IN THE DRAWINGS

Please add the drawing sheet attached as Exhibit A.

IN THE SPECIFICATION

Please amend the specification as follows:

At page 10, insert the following paragraphs after line 17:

--Fig. 15 shows separate routing tables for two customers.

Fig. 16 shows a partitioned routing table for the same two customers as in Fig. 16.--;

C
SUB 32

HAND CARRY

Crystal Park II
6th Floor Receptionist

PATENT APPLICATION

Atty Docket: 03493.86913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chase et al.

Appl. Ser. No. 09/551,399

Group Art Unit: 2732

Filed: 04/17/2000

Examiner: Hom, S.

For (Appl. Title): **FRAME RELAY SWITCHED DATA SERVICE**

SUPPLEMENTAL AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

In response to the Examiner Interview conducted February 5, 2001, please amend the above-identified application as follows:

IN THE DRAWINGS

Please add the drawing sheet attached as Exhibit A.

IN THE SPECIFICATION

Please amend the specification as follows:

At page 10, insert the following paragraphs after line 17:

--Fig. 15 shows separate routing tables for two customers.

Fig. 16 shows a partitioned routing table for the same two customers as in Fig. 16.--;

At page 18, line 17, replace "Thus" with: --As shown in Fig. 15--;

At page 19, line 9, insert after "tables": --, as shown in Fig. 16--.

IN THE CLAIMS

Please amend the following claims:

2. (Twice amended) A method comprising the steps of:
- receiving into a fast packet network frame relay data packets, said frame relay data packets having user data in a user data field, wherein said user data comprises service category data;
- switching said frame relay packets within the fast packet network responsive to the user data;
- and
- discriminating between a plurality of service categories based on the user data.
50. (Amended) A method comprising the steps of:
- receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a network; and
- transmitting at least a portion of the frames over at least one of a plurality of virtual networks, each of said virtual networks representing different service classes, each of said service classes being associated with a data link connection identifier.

51. (Twice amended) A method comprising the steps of:

receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a network; and

transmitting at least a portion of the frames over one of a plurality of virtual networks responsive to Internet protocol IP information contained in at least one of the frame relay frames.

Please add the following claims:

52. (New) The network of claim 31, wherein a first data link connection identifier from a first frame relay data packet is translated into a first asynchronous transfer mode address, and a second data link connection identifier from a second frame relay data packet is translated into a second asynchronous transfer mode address.

53. (New) The asynchronous transfer mode switch of claim 38, wherein the user data field is a data link connection identifier.

54. (New) A method of routing a data packet, comprising the steps of:

receiving a data packet in a network, said data packet having header information and user data information, wherein said user data information comprises IP packet data;

selecting a service category responsive to said header information;

transmitting the data packet responsive to the selected service category;

AMENDMENT UNDER 37 CFR § 1.111
U.S. APPLN. NO. 09/551,399

PATENT APPLICATION

switching said data packet within the network responsive to the user data information, wherein the step of switching includes discriminating between service categories responsive to the user data information.

55. (New) The method of claim 54, wherein the data packet is a frame relay data packet.

REMARKS

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-0733.

At the Examiner's request, Applicant has attached a new drawing sheet 11 of 11, which includes new drawings Figs. 15 and 16, showing separate and partitioned routing tables, respectively. Support in the specification may be found at least at page 17, lines 9-10, and page 18, line 15 through page 19, line 12. In conjunction with the new figures, Applicant has amended the specification in the description of the drawings and at page 18, line 17 and page 19, line 9 to include references to the new figures. Applicant thanks the Examiner for indicating in the Examiner interview conducted February 5, 2001 that the drawings would not be considered new matter based on the numerous references throughout the specification. Applicant will submit new formal drawing sheets 1-10 under separate cover to correct the drawing sheet number markings.

Applicant has amended claims 2, 50 and 51. Claim 2 has been amended to correct claim

structure informalities.

Claims 50 and 51 have been amended to more clearly and completely claim that which Applicants consider their invention.

Applicants have also added new claims 52 – 55 to more clearly and completely claim that which they consider their invention. Claim 52 depends from independent base claim 31, and further recites that a first data link connection identifier from a first frame relay data packet is translated into a first asynchronous transfer mode address, and a second data link connection identifier from a second frame relay data packet is translated into a second asynchronous transfer mode address. Claim 53 depends from independent base claim 38, and further recites that the user data field is a data link connection identifier. Support for new claims 52 and 53 may be found at least at page 17, lines 16-21.

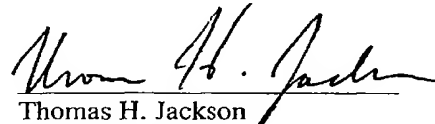
New independent claim 54 is directed to an embodiment comprising a method of routing a data packet. The method comprises receiving a data packet into a network, wherein the data packet has a header portion and a user data portion, and the user data portion comprises an IP packet. A service category is selected based on the data packet header information, and the data packet is then transmitted based on the selected service category. The data packet is further switched within the network based on the IP packet information contained in the user data. The switching step comprises discriminating between service categories based on the contents of the IP packet information. New claim 55 depends back to new claim 54 and further recites that the data packet is a frame relay data packet. Support for new claims 54 and 55 may be found at least at page 13, lines 1-15.

AMENDMENT UNDER 37 CFR § 1.111
U.S. APPLN. NO. 09/551,399

PATENT APPLICATION

If for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 508-9119.

Respectfully submitted,


Thomas H. Jackson
Reg. No. 29,808

BANNER & WITCOFF, LTD.
1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 508-9100
Dated: Feb 7, 2001

Appendix

A marked-up copy of the amended claims is herein provided:

2. (Twice amended) A method comprising the steps of:
receiving into a fast packet network frame relay data packets, said frame relay data packets having user data in a user data field, wherein said user data comprises service category data; and
switching said frame relay packets within the fast packet network responsive to the user data;
and
~~wherein said user data comprises service category data, said method further including the step of~~
discriminating between a plurality of service categories based on the user data.

50. (amended) A method comprising the steps of:
receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a ~~mesh~~ network; and
transmitting at least a portion of the frames over at least one of a plurality of virtual networks, each of said virtual networks representing different service classes, each of said service classes being associated with a data link connection identifier.

51. (twice amended) A method comprising the steps of:
receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a ~~mesh~~ network; and
transmitting at least a portion of the frames over one of a plurality of virtual networks responsive to Internet protocol IP information contained in at least one of the frame relay frames.

AMENDMENT UNDER 37 CFR § 1.111
U.S. APPLN. NO. 09/551,399

PATENT APPLICATION

Exhibit A

Customer A45

IP Address	Output Port
10.13.0.0	S0 (serial port 0)
128.13.54.0	S1
128.80.65.0	S2
128.13.54.128	E0 (Ethernet)

Customer B230

IP Address	Output Port
10.13.0.0	S4
122.56.0.0	S2
122.60.202.0	S3
122.60.202.24	S3

FIG. 15

Customer ID	IP Address	Output Port
A45	10.13.0.0	S0 (serial port 0)
A45	128.13.54.0	S1
A45	128.80.65.0	S2
A45	128.13.54.128	E0 (Ethernet)
B230	10.13.0.0	S4
B230	122.56.0.0	S2
B230	122.60.202.0	S3
B230	122.60.202.24	S3

FIG. 16